

RECEIPT NUMBER

200 510 846

10

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

UNITED STATES OF AMERICA, ex rel.
FAYIZ M. HADID, and FAYIZ M. HADID
a. k. a. FRED HADID,

Plaintiffs,

-VS-

JOHNSON CONTROLS, INC.,
a Wisconsin Corporation,
READINESS MANAGEMENT SUPPORT, LC,
a wholly owned subsidiary of
Johnson Controls, Inc., Jointly and Severally,

Defendants.

JUDGE : Battani, Marianne O.
DECK : S. Division Civil Deck
DATE : 07/23/2004 @ 14:56:28
CASE NUMBER : 5:04CV60146
CMP USA EX REL ET AL V. JOHNSON
CONTROLS ET AL (DA)

MAGISTRATE JUDGE MORGAN

RAYMOND GUZALL III (P60980)
Seifman & Associates
Attorney for Plaintiff
30665 Northwestern Highway #255
Farmington Hills, MI 48334
(248) 538-0711

VERIFIED COMPLAINT AND JURY DEMAND

Now come Plaintiffs, United States of America, ex rel Fayiz M. Hadid, and Fayiz M. Hadid, by and through his attorneys at Seifman and Associates, P.C., and hereby complains against Defendants Johnson Controls Inc. and Readiness Management Support, LC, Jointly and Severally, and so states as follows:

COUNT I
BREACH OF CONTRACT

1. Plaintiff Fayiz M. Hadid at all times pertinent hereto was a resident of the City of West Bloomfield, County of Oakland, State of Michigan.
2. Defendant Johnson Controls, Inc. is a corporation incorporated in Wisconsin and licensed to do business within the State of Michigan with resident agent being the Corporation Company at 30600 Telegraph Road, Bingham Farms, Michigan 48025.
3. Defendant Readiness Management Support LC is a wholly owned subsidiary of Defendant Johnson Controls, Inc.
4. Upon information, knowledge and belief, Defendant Readiness Management Support LC is a Florida corporation with a business address of 700 W 23rd Street, Panama City, Florida, 32405.
5. This Court has jurisdiction over the matter, including but not limited to diversity jurisdiction as well as federal question subject matter jurisdiction, and the U. S. Government is a party.
6. On or about December 15, 2002, Plaintiff was recruited and hired over the telephone in the State of Michigan by Defendants to travel overseas and work for them.
7. On or about December 29, 2002, Plaintiff began his overseas assignment with Defendants at the Prince Sultan United States Air force based in Saudi Arabia.
8. In July of 2003, Plaintiff continued his employment with Defendants at Al Udeid Air Base, in Qatar.
9. Plaintiff's contract with Defendants stated that he was to receive One

Thousand Five Hundred Fifty and 40/100 (\$1,550.40) per week as a base salary.

10. The contract between Plaintiff and Defendants also called for a foreign pay allowance of 15% and a completion bonus of 12.5% along with a substandard housing allowance of 17.5%.
11. Defendants wrongfully terminated your Plaintiff on or about May 8, 2004.
12. The contract between Plaintiff and Defendants allowed for termination of Plaintiff for cause.
13. Defendants did not have cause to fire your Plaintiff.
14. Plaintiff requested a reason and proof of 'for cause' termination on several different occasions, verbally and in writing from both Defendants as to why he was terminated.
15. No proofs were provided to your Plaintiff supporting any contention by Defendants that your Plaintiff was fired for cause.

COUNT II
VIOLATION OF FEDERAL AND STATE OF MICHIGAN WHISTLEBLOWER'S ACT,
RETALIATION AND VIOLATION OF THE FEDERAL FALSE CLAIMS ACT

16. Plaintiff incorporates paragraphs 1-14 word for word.
17. Plaintiff's job duties included advising the United States Government as a consulting electrical engineer.
18. While working for Defendant's, Plaintiff was praised by the United States Government for his professional integrity.

19. On numerous occasions, your Plaintiff was presented with contract proposals of Defendants that were multimillions of dollars above and beyond what the work proposed would entail.
20. Because your Plaintiff advised the United States Government of the multimillion dollar discrepancies between the proposed contract of Defendants and what the contracted work was actually worth, the United States Government saved millions of dollars.
21. Because your Plaintiff advised the United States Government that Defendants' proposals were inflated by millions of dollars, your Plaintiff was wrongfully terminated by Defendants.
22. Your Plaintiff was in essence terminated for doing his job.
23. As soon as Defendants solidified their next one year contract extension with the United States Airforce, they terminated Plaintiff.
24. Your Plaintiff not only reported the corruption he witnessed to the U. S. Government, he also reported that corruption to Defendants.
25. Because Plaintiff reported fee corruption to Defendants, he was wrongfully terminated by Defendants.
26. Plaintiff was terminated in a humiliating manner and in fact was not allowed to take his personal items with him when he was escorted off of the premises.
27. Because of the wrongful actions of Defendants, they have committed breach of contract, a violation of the federal and State of Michigan Whistleblower's Act, they have wrongfully retaliated against your Plaintiff

for exercising his constitutional rights and they have violated the Federal False Claims Act, as indicated within this Complaint.

28. Plaintiff has been damaged thereby in excess of \$75,000.00.

29. The conduct of Defendants is so outrageous it calls for exemplary damages, along with any and all other damages afforded in equity and/or by law.

WHEREFORE, your Plaintiff Fayiz M. Hadid prays for Judgment against the Defendants, Johnson Controls, Inc. and Readiness Management Support, LLC, jointly and severally, in an amount in excess of \$75,000, plus costs and interest including past and future damages, exemplary damages, any and all damages allowed for under the causes of action set forth within this Complaint and attorney fees.

Respectfully submitted,


RAYMOND GUZALL III (P60980)

Seifman & Associates, P.C.

Attorney for Plaintiff

30665 Northwestern Highway #255

Farmington Hills, MI 48334

(248) 538-0711

Dated:

7-20-04

False Claims Act, as indicated within this Complaint.

28. Plaintiff has been damaged thereby in excess of \$75,000.00.

29. The conduct of Defendants is so outrageous it calls for exemplary damages, along with any and all other damages afforded in equity and/or by law.

WHEREFORE, your Plaintiff Fayiz M. Hadid prays for Judgment against the Defendants, Johnson Controls, Inc. and Readiness Management Support, LLC, jointly and severally, in an amount in excess of \$75,000, plus costs and interest including past and future damages, exemplary damages, any and all damages allowed for under the causes of action set forth within this Complaint and attorney fees.

Respectfully submitted,



RAYMOND GUZALL III (P60980)
Seifman & Associates, P.C.
Attorney for Plaintiff
30665 Northwestern Highway #255
Farmington Hills, MI 48334
(248) 538-0711

Dated: 7-20-04

I hereby verify that I have read the foregoing complaint and that the contents thereof are true to the best of my knowledge, information and belief.

Handwritten signature: *Handwritten signature*

FAYIZ M. HADID

STATE OF MICHIGAN)
) (ss:
COUNTY OF WAYNE)

Before me a Notary Public in and for the County of Wayne, State of Michigan, on this 8th day of July, 2004, personally appeared the above named, FAYIZ M. HADID, who being first duly sworn, did depose and say that he has read the foregoing Verified Complaint, by them subscribed, and stated that the matters set forth therein are true and correct to the best of his knowledge, except as to those matters therein stated to be upon information and belief, and as to those matters he believes them to be true; further, that there is no collusion, understanding, or agreement between your Plaintiffs and Defendants herein in relation to their Complaint.

Audrea McQually
Notary Public Wayne County, MI
My Commission Expires: 9-3-05

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN

UNITED STATES OF AMERICA, ex rel.
FAYIZ M. HADID, and FAYIZ M. HADID
a. k. a. FRED HADID,,

Plaintiffs,

-vs-

JOHNSON CONTROLS, INC.,
a Wisconsin Corporation,
READINESS MANAGEMENT SUPPORT, LC,
a wholly owned subsidiary of
Johnson Controls, Inc., Jointly and Severally,

Defendants.

Case No. 04- 60146
Hon. *Bettani*

Magistrate Morgan

RAYMOND GUZALL III (P60980)
Seifman & Associates
Attorney for Plaintiff
30665 Northwestern Highway #255
Farmington Hills, MI 48334
(248) 538-0711

FILED
04 JUL 23 P3:41
U.S. DISTRICT COURT
EASTERN DISTRICT OF MICH.
DETROIT-PSG

JURY DEMAND

Now come Plaintiffs, United States of America, ex rel Fayiz M. Hadid, and
Fayiz M. Hadid, by and through their attorneys at Seifman and Associates, P.C., and
hereby demands trial by jury of the above-entitled cause.

Respectfully submitted,

RAYMOND GUZALL III (P60980)
Seifman & Associates, P.C.
Attorney for Plaintiff
30665 Northwestern Highway #255
Farmington Hills, MI 48334
(248) 538-0711

Date:

7-20-04

JS 44 11/99

CIVIL COVER SHEET COUNTY IN WHICH THIS ACTION AROSE: Oakland

The JS-44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for use of the Clerk of Court for the purpose of initiating the civil docket sheet.

I. (a) PLAINTIFFS

United States of America, ex rel, Fayid M. Hadid and
Fayiz M. Hadid a/k/a Fred Hadid

(b) County of Residence of First Listed Oakland26.125

(c) Attorney's (Firm Name, Address, and Telephone Number)

Raymond Guzall III (P 60980), Barry A. Seifman (P20197)
Seifan & Associates, P.C., 30665 Northwestern Hwy., #255
Farmington Hills, MI 48334 (248) 538-0711

DEFENDANTS

04-60146
Johnson Controls, Inc., a Wisconsin Corporation, Readiness
Management Support, LC, a wholly owned subsidiary of
Johnson Controls, Inc., Jointly and Severally,

County of Residence of First Listed Wisconsin

NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE LAND INVOLVED.

Attorneys (If Known)

JUDGE MARIANNE O. BATTANIMAGISTRATE JUDGE MORGAN**II. BASIS OF JURISDICTION** (Place an "X" in One Box Only)

- ☒ 1 U.S. Government Plaintiff
☐ 2 U.S. Government Defendant
☐ 3 Federal Question (U.S. Government Not a Party)
☐ 4 Diversity (Indicate Citizenship of Parties in Item 111)

III. CITIZENSHIP OF PRINCIPAL PARTIES (Place an "X" in One Box for Plaintiff and One Box for Defendant)

- PLA DEF
Citizen of This State ☐ 1 ☐ 1 Incorporated or Principal Place of Business in This State ☐ 4 ☐ 4
Citizen of Another ☐ 2 ☐ 2 Incorporated and Principal of Business in Another State ☐ 5 ☐ 5
Citizen or Subject of a Foreign Country ☐ 3 ☐ 3 Foreign Nation ☐ 6 ☐ 6

IV. NATURE OF SUIT (Place an "X" in One Box Only)

CONTRACT	TORTS	FORFEITURE/PENALTY	BANKRUPTCY	OTHER STATUTES
<input type="checkbox"/> 110 Insurance <input type="checkbox"/> 120 Marine <input type="checkbox"/> 130 Miller Act <input type="checkbox"/> 140 Negotiable Instrument <input type="checkbox"/> 150 Recovery of Overpayment and Enforcement of Judgment <input type="checkbox"/> 151 Medicare Act <input type="checkbox"/> 152 Recovery of Defaulted Student Loans (Excl. Veterans) <input type="checkbox"/> 153 Recovery of Overpayment of Veteran's Benefits <input type="checkbox"/> 160 Stockholders' Suits <input type="checkbox"/> 190 Other Contract <input type="checkbox"/> 195 Contract Product Liability	PERSONAL INJURY <input type="checkbox"/> 310 Airplane <input type="checkbox"/> 315 Airplane Product Liability <input type="checkbox"/> 320 Assault Libel And Slander <input type="checkbox"/> 330 Federal Employers' Liability <input type="checkbox"/> 340 Marine <input type="checkbox"/> 345 Marine Product Liability <input type="checkbox"/> 350 Motor Vehicle <input type="checkbox"/> 355 Motor Vehicle Product Liability <input type="checkbox"/> 360 Other Personal Injury PERSONAL INJURY <input type="checkbox"/> 362 Personal Injury-Med. Malpractice <input type="checkbox"/> 365 Personal Injury-Product Liability <input type="checkbox"/> 368 Asbestos Personal Injury Product Liability PERSONAL PROPERTY <input type="checkbox"/> 370 Other Fraud <input type="checkbox"/> 371 Truth in Lending <input type="checkbox"/> 380 Other Personal Property Damage <input type="checkbox"/> 385 Property Damage Product Liability	<input type="checkbox"/> 610 Agriculture <input type="checkbox"/> 620 Other Food & Drug <input type="checkbox"/> 625 Drug Related Seizure of Property 21: 881 <input type="checkbox"/> 630 Liquor Laws <input type="checkbox"/> 640 R.R. & Truck <input type="checkbox"/> 650 Airline Regs. <input type="checkbox"/> 660 Occupational Safety/Health <input type="checkbox"/> 690 Other	<input type="checkbox"/> 422 Appeal 28 USC 158 <input type="checkbox"/> 423 Withdrawal 28 USC 157 PROPERTY RIGHTS <input type="checkbox"/> 820 Copyrights <input type="checkbox"/> 830 Patent <input type="checkbox"/> 840 Trademark	<input type="checkbox"/> 400 State Reapportionment <input type="checkbox"/> 410 Antitrust <input type="checkbox"/> 430 Banks and Banking <input type="checkbox"/> 450 Commerce/ICC <input type="checkbox"/> 460 Deportation <input type="checkbox"/> 470 Racketeer Influenced & Corrupt Organizations <input type="checkbox"/> 810 Selective Service <input type="checkbox"/> 850 Securities/Commodities/Exchange <input type="checkbox"/> 875 Customer Challenge 12 LISC 3410 <input type="checkbox"/> 891 Agricultural Acts <input type="checkbox"/> 892 Economic Stabilization Act <input type="checkbox"/> 893 Environmental Matters <input type="checkbox"/> 894 Energy Allocation Act <input type="checkbox"/> 895 Freedom of Information Act <input type="checkbox"/> 900 Appeal of Fee Determination Under Equal Access to Justice <input type="checkbox"/> 950 Constitutionality of State Statutes <input type="checkbox"/> 890 Other Statutory Actions
REAL PROPERTY <input type="checkbox"/> 210 Land Condemnation <input type="checkbox"/> 220 Foreclosure <input type="checkbox"/> 230 Rent Lease & Ejectment <input type="checkbox"/> 240 Torts to Land <input type="checkbox"/> 245 Tort Product Liability <input type="checkbox"/> 290 All Other Real Property	CIVIL RIGHTS <input type="checkbox"/> 441 Voting <input type="checkbox"/> 442 Employment <input type="checkbox"/> 443 Housing/Accommodations <input type="checkbox"/> 444 Welfare <input checked="" type="checkbox"/> 440 Other Civil Rights	PRISONER PETITIONS <input type="checkbox"/> 510 Motions to Vacate Sentence <input type="checkbox"/> Habeas Corpus: <input type="checkbox"/> 530 General <input type="checkbox"/> 535 Death Penalty <input type="checkbox"/> 540 Mandamus & Other <input type="checkbox"/> 550 Civil Rights <input type="checkbox"/> 555 Prison Condition	LABOR <input type="checkbox"/> 710 Fair Labor Standards Act <input type="checkbox"/> 720 Labor/Mgmt. Relations <input type="checkbox"/> 730 Labor/Mgmt. Reporting & Disclosure Act <input type="checkbox"/> 740 Railway Labor Act <input type="checkbox"/> 790 Other Labor Litigation <input type="checkbox"/> 791 Empl. Ret. Inc. Security Act	SOCIAL SECURITY <input type="checkbox"/> 861 HIA (1395lf) <input type="checkbox"/> 862 Black Lung (923) <input type="checkbox"/> 863 DIWC/DIWW (405(g)) <input type="checkbox"/> 864 SSID Title XVI <input type="checkbox"/> 865 RSI (405(g)) FEDERAL TAX SUITS <input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant) <input type="checkbox"/> 871 IRS-Third Party 26 USC 7609

V. ORIGIN

(PLACE AN "X" IN ONE BOX ONLY)

- ☒ Original Proceeding ☐ 2 Removed from State Court ☐ 3 Remanded from Appellate Court ☐ 4 Reinstated or Reopened ☐ 5 Transferred from another district (specify) ☐ 6 Multi district Litigation ☐ 7 Appeal to District Judge from Magistrate

VI. CAUSE OF ACTION (Cite the U.S. Civil Statute under which you are filing and write brief statement of cause. Do not cite jurisdictional statutes unless diversity.)

Violation of Federal and State Whistleblower's Act, Retaliation and Violation of Federal False Claims Act, and Breach of Contract

VII. REQUESTED IN COMPLAINT:

☐ CHECK IF THIS IS A CLASS ACTION UNDER F.R.C.P. 23

DEMAND
over \$75,000

CHECK YES only if demanded in complaint:
JURY DEMAND ☒ Yes ☐ No

VIII. RELATED CASE(S) INSTRUCTIONS: IF ANY

JUDGE

DOCKET NUMBER

DATE

7-21-04

SIGNATURE OF ATTORNEY OF RECORD



PURSUANT TO LOCAL RULE 83.11

1. Is this a case that has been previously dismissed?

☐ Yes

☒ No

If yes, give the following information:

Court: _____

Case No.: _____

Judge: _____

2. Other than stated above, are there any pending or previously discontinued or dismissed companion cases in this or any other court, including state court? (Companion cases are matters in which it appears substantially similar evidence will be offered or the same or related parties are present and the cases arise out of the same transaction or occurrence.)

☐ Yes

☒ No

If yes, give the following information:

Court: _____

Case No.: _____

Judge: _____

Notes :

There is no other civil action arising out of the same transaction or occurrence currently pending before this Court.
